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| ESE LogoStarLogo08_A |  | **Upper Cape Cod Regional Technical School**  **COORDINATED PROGRAM REVIEW**  **REPORT OF FINDINGS**  **Dates of Onsite Visit:** **April 9-12, 2018**  **Date of Draft Report:** **June 18, 2018**  **Date of Final Report: September 17, 2018**  **Action Plan Due: October 16, 2018**  **Department of Elementary and Secondary Education Onsite Team Members:**  **Doryce Smith, Office of Public School Monitoring (PSM) Chair**  **Michael Barrett, PSM**  **Sibel Hughes, Office of Language Acquisition (OLA) Chair**  **Marnie Jain, Office for College, Career and Technical Education (CCTE) Chair** |
|  |  | Jeffrey Riley Commissioner of Elementary and Secondary Education |
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**MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**

**COORDINATED PROGRAM REVIEW REPORT**

**Upper Cape Cod Regional Technical School**

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**MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**

**COORDINATED PROGRAM REVIEW REPORT**

**Upper Cape Cod Regional Technical School**

**SCOPE OF COORDINATED PROGRAM REVIEWS**

As one part of its accountability system, the Department of Elementary and Secondary Education oversees local compliance with education requirements through the Coordinated Program Review (CPR). All reviews cover selected requirements in the following areas:

Special Education (SE)

* selected requirements from the federal Individuals with Disabilities Education Act (IDEA-2004); the federal regulations promulgated under that Act at 34 CFR Part 300; M.G.L. c. 71B, and the Massachusetts Board of Education’s Special Education regulations (603 CMR 28.00), as amended effective March 1, 2007. The 2017 - 2018 Web-based Monitoring System (WBMS) districts conducted self-assessments across all criteria.

Civil Rights Methods of Administration and Other General Education Requirements (CR)

* selected federal civil rights requirements, including requirements under Title VI of the Civil Rights Act of 1964; the Equal Educational Opportunities Act of 1974; Title IX of the Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act of 1990, together with selected state requirements under M.G.L. c. 76, Section 5 as amended by Chapter 199 of the Acts of 2011 and M.G.L. c. 269 §§ 17 through 19.
* selected requirements from the Massachusetts Board of Education’s Physical Restraint regulations (603 CMR 46.00).
* selected requirements from the Massachusetts Board of Education’s Student Learning Time regulations (603 CMR 27.00).
* various requirements under other federal and state laws.
* The 2017 - 2018 Web-based Monitoring System (WBMS) districts conducted self-assessments across all criteria.

English Learner Education (ELE) in Public Schools

* selected requirements from M.G.L. c. 71A, the state law that governs the provision of education to limited English proficient students, and 603 CMR 14.00, as well as the No Child Left Behind Act of 2001 and Title VI of the Civil Rights Act of 1964. During the 2017 - 2018 school year, all districts that enroll limited English proficient students will be reviewed using a combination of updated standards and a self-assessment instrument overseen by the Department’s Office of English Language Acquisition and Academic Achievement (OELAAA), including a request for information regarding ELE programs and staff qualifications.

Some reviews also cover selected requirements in:

College, Career and Technical Education (CCTE)

* college, career and technical education programs under the federal Carl D. Perkins Vocational and Technical Education Act of 1998 and M.G.L. c. 74.

Districts providing Title I services participate in Title I program monitoring during the same year they are scheduled for a Coordinated Program Review. Details regarding the Title I program monitoring process are available at: <http://www.doe.mass.edu/titlei/monitoring>.

**COORDINATED PROGRAM REVIEW ELEMENTS**

**Team:** Depending upon the size of a school district and the number of programs to be reviewed, a team of one to eight Department staff members conducts onsite activities over two to five days in a school district or charter school.

**Timing:** Each school district and charter school in the Commonwealth is scheduled to receive a Coordinated Program Review every six years and a mid-cycle special education follow-up visit three years after the Coordinated Program Review; approximately 68 school districts and charter schools are scheduled for Coordinated Program Reviews in 2017 - 2018, of which all districts participated in the Web-based Monitoring System (WBMS). The Department’s

2017 - 2018 schedule of Coordinated Program Reviews is posted on the Department’s web site at <<<http://www.doe.mass.edu/pqa/review/cpr/schedule.html>>>.  The statewide six-year Program Review cycle, including the Department’s Mid-cycle follow-up monitoring schedule, is posted at <<<http://www.doe.mass.edu/pqa/review/cpr/6yrcycle.html>>>.

**Criteria:** The Program Review criteria for each WBMS review begins with the district/school conducting a self-assessment across all 56 current special education criteria and 26 civil rights criteria. The Office of Public School Monitoring through its Desk Review procedures examines the district/school’s self-assessment submission and determines which criteria will be followed–up on through onsite verification activities. For more details, please see the section on **The Web-based Approach to** **Special Education and Civil Rights Monitoring** at the beginning of the School District Information Package for Special Education and Civil Rights.

The requirements selected for review in all of the regulated programs are those that are most closely aligned with the goals of the Massachusetts Education Reform Act of 1993 to promote student achievement and high standards for all students.

**WBMS Methods:** Methods used in reviewing special education and civil rights programs include:

Self-Assessment Phase:

* District/school review of special education and civil rights documentation for required elements including document uploads. Upon completion of this portion of the district/school’s self-assessment, it is submitted to the Department for review.
* District/school review of a sample of special education student records selected across grade levels, disability categories and level of need. Additional requirements for the appropriate selection of the student record sample can be found in **Appendix II: Student Record Review Procedures** of the School District Information Package for Special Education.

Upon completion of these two portions of the district/school’s self-assessment, it is submitted to the Department for review.

On-site Verification Phase: Includes activities selected from the following;

* Interviews of administrative, instructional, and support staff consistent with those criteria selected for onsite verification.
* Interviews of parent advisory council (PAC) representatives and other telephone interviews, as requested, by other parents or members of the general public.
* Review of student records for special education: The Department may select a sample of student records from those the district reviewed as part of its self-assessment, as well as records chosen by the Department from the special education student roster. The onsite team will conduct this review, using standard Department procedures, to determine whether procedural and programmatic requirements have been implemented.
* Surveys of parents of students with disabilities: Parents of students with disabilities are sent a survey that solicits information regarding their experiences with the district’s implementation of special education programs, related services, and procedural requirements.
* Observation of classrooms and other facilities: The onsite team visits a sample of classrooms and other school facilities used in the delivery of programs and services to determine general levels of compliance with program requirements.
* Review of additional documents for special education or civil rights.

**Methods for all other programs in the Coordinated Program Review:**

* Review of documentation about the operation of the charter school or district's programs.
* Interviews of administrative, instructional, and support staff across all grade levels.
* Telephone interviews as requested by other parents or members of the general public.
* Review of student records for English learner education and college, career and technical education:  The Department selects a representative sample of student records for the onsite team to review, using standard Department procedures, to determine whether procedural and programmatic requirements have been implemented.
* Surveys of parents of English learners whose files are selected for the record review are sent a survey of their experiences with the district's implementation of the English learner education program and related procedural requirements.
* Observation of classrooms and other facilities: The onsite team visits a sample of classrooms and other school facilities used in the delivery of programs and services to determine general levels of compliance with program requirements.

**Report:** **Preparation:**

At the end of the onsite visit, the onsite team will hold an informal exit meeting to summarize its comments for the superintendent or charter school leader and anyone else he or she chooses. Within approximately 45 business days of the onsite visit, the onsite chairperson will forward to the superintendent or charter school leader (and collaborative director where applicable) a Draft Report containing comments from the Program Review. The Draft Report comments for special education and civil rights are provided to the district/school on-line through the Web-based Monitoring System (WBMS). These comments will, once the district has had a chance to respond, form the basis for any findings by the Department. The district (and collaborative) will then have 10 business days to review the report for accuracy before the publication of a Final Report with ratings and findings (see below). The Final Report will be issued within approximately 60 business days of the conclusion of the onsite visit and posted on the Department’s website at <<http://www.doe.mass.edu/pqa/review/cpr/reports/>>.

**Content of Final Report:**

*Ratings.* In the Final Report, the onsite team gives a rating for each compliance criterion it has reviewed; those ratings are “Commendable,” “Implemented,” “Implementation in Progress,” “Partially Implemented,” “Not Implemented,” and “Not Applicable.” “Implementation in Progress,” used for criteria containing new or updated legal requirements, means that the district has implemented any old requirements contained in the criterion and is training staff or beginning to implement the new requirements in such a way that the onsite team anticipates that the new requirements will be implemented by the end of the school year.

*Findings.* The onsite team includes a finding in the Final Report for each criterion that it rates “Commendable,” “Partially Implemented,” “Not Implemented,” or “Implementation in Progress,” explaining the basis for the rating. It may also include findings for other related criteria.

**Response:** Where criteria are found “Partially Implemented” or “Not Implemented,” the district or charter school must propose corrective action to bring those areas into compliance with the relevant statutes and regulations.  This corrective action plan (CAP) will be due to the Department within 20 business days after the issuance of the Final Report and is subject to the Department’s review and approval. Department staff will offer districts and charter schools technical assistance on the content and requirements for developing an approvable CAP.

Department staff will also provide ongoing technical assistance as the school or district is implementing the approved corrective action plan. **School districts and charter schools must demonstrate effective resolution of noncompliance identified by the Department as soon as possible but in no case later than one year from the issuance of the Department’s Final Program Review Report.**

# **INTRODUCTION TO THE FINAL REPORT**

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The Massachusetts Department of Elementary and Secondary Education conducted a Coordinated Program Review of Upper Cape Cod Regional Technical School during the week of April 9, 2018 to evaluate the implementation of selected criteria in the program areas of special education, civil rights and other related general education requirements, English learner education and college, career and technical education. The team appreciated the opportunity to interview staff and parents, to observe classroom facilities and to review the programs underway in the district.

The Department is submitting the following Coordinated Program Review Report containing findings made pursuant to this onsite visit. In preparing this report, the team reviewed extensive written documentation regarding the operation of the district's programs, together with information gathered by means of the following Department program review methods:

Interviews of:

* Administrative staff
* Teaching and support services staff
* Students enrolled in college, career and technical education programs

Student record reviews:

* Special education student records
* College, career and technical education student records

Surveys:

* Parents of students with disabilities

Observations of classrooms and other facilities

**\*Please note that at the time of the onsite review, there were no English learners in the district.**

The report includes findings in the program areas reviewed organized under nine components. These components are:

**Component I: Assessment of Students**

**Component II: Student Identification and Program Placement**

**Component III: Parent and Community Involvement**

**Component IV: Curriculum and Instruction**

**Component V: Student Support Services**

**Component VI: Faculty, Staff and Administration**

**Component VII: Facilities**

**Component VIII: Program Evaluation**

**Component IX: Recordkeeping and Fund Use**

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| The district conducted a self-assessment and the Department reviewed all of the criteria in the specific program areas. The Coordinated Program Review Report includes those criteria that were found by the team to be implemented in a “Commendable” manner, as well as criteria receiving a rating of "Partially Implemented," "Not Implemented," or “Implementation in Progress.” (Refer to the “Definition of Compliance Ratings” section of the report.) **Program Review Reports no longer include criteria receiving a rating of “Implemented” or “Not Applicable.”** This change will allow the district and the Department to focus their efforts on those areas requiring corrective action. For those criteria receiving a rating of “Partially Implemented” or “Not Implemented,” the district or charter school must propose to the Department corrective actions to bring those areas into compliance with the controlling statute or regulation. For any criteria receiving a rating of “Implementation in Progress,” the district must indicate the steps the district will continue to take in order to fulfill the regulatory requirements. Districts are expected to incorporate the corrective actions into their district and school improvement plans, including their professional development plans. |

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| **DEFINITION OF COMPLIANCE RATINGS** | |
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| **Commendable** | Any requirement or aspect of a requirement implemented in an exemplary manner significantly beyond the requirements of law or regulation. |
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| **Implemented** | The requirement is substantially met in all important aspects. |
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| **Implementation in Progress** | This rating is used for criteria containing new or updated legal requirements and means that the district has implemented any old requirements contained in the criterion and is training staff or beginning to implement the new requirements in such a way that the onsite team anticipates that the new requirements will be implemented by the end of the school year. |
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| **Partially Implemented** | The requirement, in one or several important aspects, is not entirely met. |
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| **Not Implemented** | The requirement is totally or substantially not met. |
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| **Not Applicable** | The requirement does not apply to the school district or charter school. |

Upper Cape Cod Regional Technical School

**SUMMARY OF COMPLIANCE CRITERIA RATINGS**

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|  | **Special Education** | **Civil Rights and Other General Education Requirements** | **English Learner Education** | **Career, Career and Technical**  **Education** |
| **IMPLEMENTED** | SE 1, SE 2,  SE 3, SE 3A,  SE 4, SE 5,  SE 6, SE 7,  SE 8, SE 9,  SE 9A, SE 10,  SE 11, SE 12,  SE 13, SE 14,  SE 15, SE 18A, SE 18B, SE 19, SE 20, SE 21,  SE 22, SE 24, SE 25,  SE 25A, SE 25B, SE 26, SE 27, SE 29, SE 33,  SE 34, SE 35, SE 36,  SE 40, SE 41, SE 43,  SE 44, SE 45, SE 46,  SE 47, SE 48, SE 49,  SE 50, SE 51, SE 52,  SE 52A, SE 53, SE 54,  SE 55, SE 59 | CR 3, CR 6,  CR 7, CR 7A,  CR 7B, CR 7C,  CR 8, CR 9,  CR 10, CR 10A, CR 11A, CR 12A, CR 13, CR 14,  CR 15, CR 18,  CR 18A, CR 20, CR 21, CR 22,  CR 23, CR 26A | ELE 3, ELE 10 | CCTE 1,  CCTE 2,  CCTE 5,  CCTE 7,  CCTE 8,  CCTE 9A, CCTE 9B,  CCTE 11,  CCTE 12,  CCTE 14,  CCTE 15,  CCTE 16,  CCTE 19,  CCTE 23,  CCTE 24, CCTE 25 |
| **PARTIALLY**  **IMPLEMENTED** | SE 32 | CR 10B, CR 10C, CR 16, CR 17A |  | CCTE 3,  CCTE 4,  CCTE 6,  CCTE 10, CCTE 13,  CCTE 18,  CCTE 20,  CCTE 21, CCTE 22 |
| **NOT IMPLEMENTED** | SE 56 | CR 24, CR 25 |  |  |
| **NOT APPLICABLE** | SE 16, SE 17, SE 37,  SE 38, SE 39, SE 42 |  | ELE 1, ELE 2,  ELE 4, ELE 5,  ELE 6, ELE 7,  ELE 8, ELE 9,  ELE 13, ELE 14,  ELE 15, ELE 17,  ELE 18 |  |

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| |  | | --- | | **SPECIAL EDUCATION**  **LEGAL STANDARDS,**  **COMPLIANCE RATINGS AND**  **FINDINGS** | |

| **CRITERION**  **NUMBER** |  | | | |
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|  | **Legal Standard** | | | |
| **SE 32** | Parent advisory council for special education   1. The school district has established a district-wide parent advisory council on special education. 2. Membership on the council is offered to all parents of students with disabilities and other interested parties. 3. The parent advisory council duties include but are not limited to: advising the district on matters that pertain to the education and safety of students with disabilities; meeting regularly with school officials to participate in the planning, development, and evaluation of the school district’s special education programs. 4. The parent advisory council has established by-laws regarding officers and operational procedures. 5. The parent advisory council receives assistance from the school committee without charge, upon reasonable notice, and subject to the availability of staff and resources. 6. The school district conducts, in cooperation with the parent advisory council, at least one workshop annually within the district on the rights of students and their parents and guardians under the state and federal special education laws. | | | |
|  | State Requirements | | Federal Requirements | |
|  | M.G.L. c. 71B, § 3;  603 CMR 28.03(1)(a)(4); 28.07(4) | |  | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Document review indicated that while the district conducts annual trainings on the rights of students and their parents and guardians under state and federal special education laws, Upper Cape Cod Regional Technical School does not currently have an established district-wide special education parent advisory council (SEPAC).* |

| **CRITERION**  **NUMBER** | SPECIAL EDUCATION **VIII. PROGRAM PLAN AND EVALUATION** | | | |
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|  | **Legal Standard** | | | |
| **SE 56** | Special education programs and services are evaluated  Special education programs and services are regularly evaluated. | | | |
|  | State Requirements | | Federal Requirements | |
|  | M.G.L. c. 69, section 1A  M.G.L. c. 69, section 11  M.G.L. c. 71B, section 3 | |  | |
|  | **Rating:** | **Not Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *A review of documentation indicated that the district’s special education programs and services are not regularly evaluated. Specifically, the district provided a copy of a spreadsheet that recorded several special education compliance requirements for ten students during the 2015-2016 school year. The district also submitted a report on “Special Education Grants to States” compliance requirements for the 2014-2015 school year, which mainly reviewed financial requirements pertaining to special education. These documents do not demonstrate an assessment of the district’s special education programming and services or provide recommendations for addressing concerns or improving the programming and services currently offered by the district.* |

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| |  | | --- | | **CIVIL RIGHTS**  **METHODS OF ADMINISTRATION (CR)**  **AND**  **OTHER RELATED GENERAL EDUCATION REQUIREMENTS**  **LEGAL STANDARDS,**  **COMPLIANCE RATINGS AND**  **FINDINGS** | |

| **CRITERION**  **NUMBER** |  | | | |
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|  | **Legal Standard** | | | |
| CR 10B | Bullying Intervention and Prevention   1. Public schools (including charter schools and collaboratives) must update school handbooks to conform to their updated amended Bullying Prevention and Intervention Plan (Plan). The school handbook (and local updated Plan) must be consistent with the amendments to the Massachusetts anti-bullying law, which became effective July 1, 2013. The amendments extend protections to students who are bullied by a member of the school staff. As defined in G.L. c. 71, 37O, as amended, a member of the school staff includes, but is not limited to, an “educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional.” The school handbook must make clear that a member of the school staff may be named the “aggressor” or “perpetrator” in a bullying report. 2. School and district employee handbooks must also contain relevant sections of the amended Plan relating to the duties of faculty and staff and relevant provisions addressing the bullying of students by a school staff member. 3. Each year all school districts and schools must give parents and guardians annual written notice of the student-related sections of the local Plan. 4. Each year all school districts and schools must provide all staff with annual written notice of the Plan. 5. All schools and school districts must implement, for all school staff, professional development that includes developmentally appropriate strategies to prevent bullying incidents; developmentally appropriate strategies for immediate, effective interventions to stop bullying incidents; information regarding the complex interaction and power differential that can take place between and among a perpetrator, victim and witnesses to the bullying; research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk for bullying in the school environment; information on the incidence and nature of cyber-bullying; and internet safety issues as they relate to cyber-bullying. | | | |
|  | M.G.L. c. 71, s. 37H, as amended by Chapter 92 of the Acts of 2010. M.G.L. c. 71, s. 37O(e)(1) & (2). M.G.L. c. 71, s. 370(d), as amended. | | | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *A review of documentation and interviews indicated that the district does not provide professional development on bullying prevention and intervention to cafeteria workers, bus drivers and custodians.* |

| **CRITERION**  **NUMBER** |  | | | |
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|  | **Legal Standard** | | | |
| CR 10C | Student Discipline  Each school committee and board of trustees shall ensure that policies and procedures are in place in public preschool, elementary, and secondary schools and programs under its jurisdiction that meet, at a minimum, the requirements of M.G.L.c. 71, section 37H ¾, M.G.L.c. 76, section 21, and 603 CMR 53.00. These policies and procedures must address or establish, but are not limited to:   1. The notice of suspension and hearing; 2. Procedures for emergency removal; 3. Procedures for principal hearings for both short and long-term suspension; 4. Procedures for in-school suspension; 5. Procedures for superintendent hearing; 6. Procedures for education services and academic progress (School-wide Education Service Plan); 7. A system for periodic review of discipline data by special populations; 8. Alternatives to suspension. | | | |
|  | M.G.L.c. 71, section 37H ¾, M.G.L.c. 76, section 21, and 603 CMR 53.00, M.G.L.c. 71 section 38R and Chapter 77 of the Acts of 2013. | | | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *A review of documents indicated that the district does not have procedures for emergency removal of a student, pursuant to 603 CMR 53.07. Specifically, the procedures do not include making immediate and reasonable efforts to orally notify the student and the parent of the emergency removal; providing written notice to the student and parent; and providing the student an opportunity for a hearing, as well as offering an opportunity for the parent to attend the hearing.*  *Furthermore, document review indicated that the district does not have procedures for implementing in-school suspension pursuant to the requirements of 603 CMR 53.10, which include providing the student the opportunity to make academic progress; informing the student of the disciplinary offense charged and the basis for the charge, and providing the student an opportunity to dispute the charges; making reasonable efforts to notify the parent orally on the same day of the in-school suspension decision; inviting the parent to a meeting to discuss the student's academic performance and behavior; and sending written notice to the student and parent about the in-school suspension.* |

| **CRITERION**  **NUMBER** |  | | | |
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|  | **Legal Standard** | | | |
| CR 16 | Notice to students 16 or over leaving school without a high school diploma, certificate of attainment, or certificate of completion   1. No student who has not graduated from high school shall be considered to have permanently left public school unless an administrator of the school where the student last attended has sent notice within 5 days from the student’s tenth consecutive absence to the student and the parent/guardian of the student in English and the primary language of the parent or guardian (to the extent practicable). The notice shall offer at least two dates and times for an exit interview between the superintendent (or designee) and the student and the parent/guardian to occur prior to the student permanently leaving school. The notice shall include contact information for scheduling the exit interview and indicate that the parties shall agree to a date and time for the exit interview and that the interview shall occur within 10 days of the notice. The time and the date for the exit interview may be extended at the request of the parent/guardian but for no longer than 14 days. The superintendent or designee may proceed with an exit interview without a parent/guardian if the superintendent or designee makes a good faith effort to include the parent/guardian. 2. The exit interview shall be for the purpose of discussing the reasons for the student permanently leaving school and to consider alternative education programs and services available to the student. The superintendent (or designee) shall convene a team of school personnel, such as the principal, guidance counselor, teachers, attendance officer and other relevant school staff, to participate in the exit interview with the student and the parent/guardian. During the exit interview, the student shall be given information about the detrimental effects of early withdrawal from school, the benefits of earning a high school diploma and a list of alternative education program and services available to the student. 3. Any district serving students in high school grades sends annual written notice to former students who have not yet earned their competency determination and who have not transferred to another school    1. to inform them of the availability of publicly funded post-high school academic support programs and    2. to encourage them to participate in those programs.   At a minimum, the district sends annual written notice by first class mail to the last known address of each such student who attended a high school in the district within the past two years.   1. The Superintendent shall annually report to the Department the number of students sixteen years of age or older who have permanently left school, the reasons for such leaving and any alternative educational or other placement the student has taken. | | | |
|  | M.G.L. c. 76, §§ 5, 18; St. 1965, c. 741 | | | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *A review of documentation indicated that the written notice sent by the district to students aged 16 or over leaving school without a high school diploma, certificate of attainment, or certificate of completion is sent after 15 consecutive absences, instead of ten, as required by Massachusetts law. Additionally, the notice does not include at least two dates and times for an exit interview between the superintendent (or designee) and the student and parent/guardian or state that the time and date for the exit interview may be extended at the request of the parent/guardian but for no longer than 14 days.*  *Furthermore, the district does not send annual written notice to former students who have not yet earned their competency determination and who have not transferred to another school to inform them of the availability of publicly funded post-high school academic support programs and to encourage them to participate in those programs.* |

| **CRITERION**  **NUMBER** |  | | | |
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|  | **Legal Standard** | | | |
| CR 17A | Use of physical restraint on any student enrolled in a publicly-funded education program   1. Public education programs must develop and implement written restraint prevention and behavior support policy and procedures consistent with new regulations 603CMR 46.00 regarding appropriate responses to student behavior that may require immediate intervention.    1. restraint prevention and behavior support policy and procedures shall be annually reviewed and provided to program staff and made available to parents of enrolled students.    2. restraint prevention and behavior support policy and procedures shall include, but not be limited to: methods for preventing student violence, self-injurious behavior and suicide; methods for engaging parents and youth in discussions about restraint prevention and use; a description and explanation of the program’s alternatives to physical restraint and method of physical restraint in emergency situations; a statement prohibiting: medication restraint, mechanical restraint, prone restraint unless permitted pursuant to 603 CMR 46.03(1)(b), seclusion, and the use of restraint inconsistent with 603 CMR 46.03; a description of the program’s training requirements, reporting requirements, and follow-up procedures; a procedure for receiving and investigating complaints; a procedure for conducting periodic review of data and documentation on the program’s use of restraint; a procedure for implementing the reporting requirements; a procedure for making both oral and written notification to the parent; and a procedure for the use of time-out. 2. Each principal or director shall determine a time and method to provide all program staff with training regarding the program’s restraint prevention and behavior support policy and requirements when restraint is used. Such training shall occur within the first month of each school year and, for employees hired after the school year begins, within a month of their employment. 3. At the beginning of each school year, the principal of each public education program or his/her designee shall identify program staff who are authorized to serve as a school-wide resource to assist in ensuring proper administration of physical restraint. Such staff shall have in-depth training on the use of physical restraint. 4. The program administers physical restraint on students only in emergency situations of last resort when needed to protect a student and/or member of the school community from assault or imminent, serious, physical harm and with extreme caution in order to prevent or minimize any harm to the student as a result of the use of physical restraint. | | | |
|  | M.G.L. c. 71, § 37G; 603 CMR 46.00 effective January 1, 2016 | | | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *A review of documentation indicated that the district's physical restraint and behavior support policy does not include the following required elements: methods for engaging parents and youth in discussions about restraint prevention and use; a procedure for receiving and investigating complaints; a description and explanation of the program's alternatives to physical restraint; a procedure for conducting periodic review of data; and a statement prohibiting medication restraint and mechanical restraint. Additionally, the district’s policy requires that serious injuries resulting from the use of a restraint be reported to the Department, but the current regulations require that all injuries be reported.*  *Furthermore, the district’s policy allows the use of restraint as described and agreed upon in a student’s Individualized Education Program (IEP). However, the current regulations prohibit any written individual behavior plan or IEP from including use of physical restraint as a standard response to any behavior.* |

| **CRITERION**  **NUMBER** | CIVIL RIGHTS METHODS OF ADMINISTRATION (CR) **AND OTHER RELATED GENERAL EDUCATION REQUIREMENTS**  **VIII. PROGRAM PLAN AND EVALUATION** | | | |
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|  | **Legal Standard** | | | |
| **CR 24** | Curriculum review  The district ensures that individual teachers in the district review all educational materials for simplistic and demeaning generalizations, lacking intellectual merit, on the basis of race, color, sex, gender identity, religion, national origin and sexual orientation. Appropriate activities, discussions and/or supplementary materials are used to provide balance and context for any such stereotypes depicted in such materials. | | | |
|  | M.G.L. c. 76, § 5; 603 CMR 26.05(2) as amended by Chapter 199 of the Acts of 2011 | | | |
|  | **Rating:** | **Not Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *A review of documentation and interviews indicated that the district does not have procedures in place to ensure that individual teachers review all educational materials for simplistic and demeaning generalizations, lacking intellectual merit, on the basis of race, color, sex, gender identity, religion, national origin and sexual orientation.* |

| **CRITERION**  **NUMBER** |  | | | |
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|  | **Legal Standard** | | | |
| CR 25 | Institutional self-evaluation  The district evaluates all aspects of its K-12 program annually to ensure that all students, regardless of race, color, sex, gender identity, religion, national origin, limited English proficiency, sexual orientation, disability, or housing status, have equal access to all programs, including athletics and other extracurricular activities. It makes such changes as are indicated by the evaluation. | | | |
|  | Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(b)(2); EEOA: 20 U.S.C. 1703(f); Section 504: 29 U.S.C. 794; 34 CFR 104.4(b)(4); Title II: 42 U.S.C. 12132; 28 CFR 35.130(b)(3); NCLB: Title III, Part A, Sec. 3121(c)(1)(C); Title X, Part C, Sec. 722(g)(1)(J)(i), 722(g)(7); Mass. Const. amend. art. 114; M.G.L. c. 71A, § 7; c. 76, § 5; 603 CMR 26.07(1),(4) as amended by Chapter 199 of the Acts of 2011 | | | |
|  | **Rating:** | **Not Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *A review of documentation and interviews indicated that, although the district submitted a narrative describing the results of a New England Association of Schools and Colleges (NEASC) self-study on culture and leadership, the district does not evaluate all aspects of its 9-12 program to ensure that all students, regardless of race, color, sex, gender identity, religion, national origin, limited English proficiency, sexual orientation, disability, or housing status, have equal access to all programs, including athletics and other extracurricular activities.* |

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| **COLLEGE, CAREER AND TECHNICAL EDUCATION**  **LEGAL STANDARDS,**  **COMPLIANCE RATINGS AND**  **FINDINGS** |

| **CRITERION NUMBER** |  | | | |
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|  | Legal Standard | | | |
| CCTE 3 | The district assesses students for the acquisition of safety & health, technical that includes embedded academic, employability, management & entrepreneurship, and technological knowledge and skills. *Vocational Technical Education Regulations 603 CMR 4.03 (4); Perkins Section 3, 134, M.G.L. c.74 Section 2* | | | |
|  | **References:**  Carl D. Perkins Career & Technical Education Improvement Act of 2006 at  <http://www.doe.mass.edu/cte/perkins/>  Chapter 74 Selected Sections & 603 CMR 4.00 Vocational Technical Education Regulations and Guidelines at <http://www.doe.mass.edu/cte/laws.html>  Chapter 74 Manual for Vocational Technical Education Programs at  <http://www.doe.mass.edu/cte/programs/> | | | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *A review of documentation and interviews indicated that, while the district does have a system for tracking student competencies, the system is not used for tracking the competencies for all strands in the vocational technical education frameworks. Specifically, the competencies are not consistently tracked for strands 4, 5 and 6, specifically, employability, management and entrepreneurship, and technological knowledge and skills. In addition, the competency checklists are not consistently shared with students and their parents/guardians.* |

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| **CRITERION NUMBER** | **COLLEGE, CAREER AND TECHNICAL EDUCATION**  **II. STUDENT IDENTIFICATION AND PROGRAM PLACEMENT** | | | |
|  | Legal Standard | | | |
| CCTE 4 | Information concerning career/vocational technical education programs is provided to students and to their parents/guardians. Such information shall include admission requirements for career/vocational technical programs; specific programs/courses that are available; employment and/or further education and registered apprenticeship opportunities. *Perkins Section 134, Vocational Technical Education Regulations 603 CMR 4.03 (4) (6).* | | | |
|  | **References:**  Carl D. Perkins Career & Technical Education Improvement Act of 2006 at <http://www.doe.mass.edu/cte/perkins/>  Chapter 74 Selected Sections & 603 CMR 4.00 Vocational Technical Education Regulations and Guidelines at <http://www.doe.mass.edu/cte/laws.html>  Chapter 74 Manual for Vocational Technical Education Programs at <http://www.doe.mass.edu/cte/programs/>  Chapter 74 Manual for Vocational Technical Education Admission Policies at <http://www.doe.mass.edu/cte/admissions/>  Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex and Handicap in Vocational Education Programs (34 CFR, Part 100, Appendix B at <http://www.doe.mass.edu/cte/admissions/> | | | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *A review of disaggregated enrollment data indicated that while Upper Cape Cod Regional Technical School’s enrollment of students who are English language learners is 0%, the district’s member communities reflect enrollment percentages of English language learners as follows: Falmouth, 3.1%; Wareham, 1.1%; Bourne, 0.9%; Sandwich, 1.1%; and Marion, 0.4%. Interviews indicated that not all member towns provide the names and addresses of Grade 7 and Grade 8 students to the district for the purpose of providing information about programs and activities.* |

| **CRITERION NUMBER** |  | | | |
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|  | Legal Standard | | | |
| **CCTE 6** | *(Note: This criterion applies only to Chapter 74-approved vocational technical education*.)  The district uses its Department-approved admission policy and an appropriate application for admission. *Vocational Technical Education Regulations 603 CMR 4.03(6). M.G.L. c. 76 Section 5.* | | | |
|  | **References:**  Chapter 74 Selected Sections & 603 CMR 4.00 Vocational Technical Education Regulations and Guidelines at <http://www.doe.mass.edu/cte/laws.html>  Chapter 74 Manual for Vocational Technical Education Admission Policies at <http://www.doe.mass.edu/cte/admissions/>  Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex and Handicap in Vocational Education Programs (34 CFR, Part 100, Appendix B at <http://www.doe.mass.edu/cte/admissions/>  Massachusetts Special Education Regulations 603 CMR 28.10 6) (c) at <http://www.doe.mass.edu/lawsregs/603cmr28.html?section=all#start>  Massachusetts General Law Chapter 76, Section 5 at <http://www.mass.gov/legis/laws/mgl/gl-pt1-toc.htm>  Massachusetts Access to Equal Educational Opportunity Regulations 603 CMR 26.00 at <http://www.doe.mass.edu/lawsregs/603cmr26.html> | | | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *A review of documentation indicated that the district uses a letter of acceptance which cites a condition for acceptance as successful completion of eighth grade (an allowable condition), but which also noted that an increase in absenteeism and/or instances of discipline may result in a revocation of acceptance. The latter condition is not consistent with the district’s Department-approved admission policy.* |

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| **CRITERION NUMBER** |  | | | |
|  | Legal Standard | | | |
| CCTE 10 | Representatives of business/industry; organized labor (union); colleges(s); parent(s)/guardian(s); student(s); representative(s) from registered apprenticeship program(s) (only required if the occupational field of the program has a registered apprenticeship program) are involved in the development, implementation, and review of career/vocational technical programs. Representation is race, linguistic, disability, and nontraditional by gender inclusive, and if not, there is a plan (formal recruitment process)to make it inclusive. *Perkins Section 134, M.G.L. c.74 Section 6, Vocational Technical Education Regulations 603 CMR 4.03 (1)* | | | |
|  | **References:**  Carl D. Perkins Career & Technical Education Improvement Act of 2006 at <http://www.doe.mass.edu/cte/perkins/>  Chapter 74 Selected Sections & 603 CMR 4.00 Vocational Technical Education Regulations and Guidelines at <http://www.doe.mass.edu/cte/laws.html>  Career/Vocational Technical Education Advisory Committee Guide at <http://www.doe.mass.edu/cte/resources/>  Massachusetts Perkins IV Manual at <http://www.doe.mass.edu/cte/perkins/> | | | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *A review of documentation indicated that not all program advisory committees include the required membership, and the most prevalent area of missing representation is postsecondary membership. The programs without postsecondary membership include automotive collision and repair, automotive technology, cosmetology, culinary arts, horticulture, information support services networking, and marine technology. The marine technology program advisory committee membership form indicated that business and industry is the only representation. The district provided minutes from the General Advisory Committee from the 2016-2017 school year (January 2017 and May 2017) as well as the 2018 school year (November 2017). None of the minutes demonstrated that the General Advisory Committee meets with the school committee once a year, as required.* |

| **CRITERION NUMBER** |  | | | |
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|  | Legal Standard | | | |
| **CCTE 13** | *(Note: This criterion applies only to Chapter 74-approved vocational technical education*.)  Cooperative Education is implemented in accordance with applicable laws, regulations, and policies. *Child Labor Bulletin 101 – Child Labor Requirements in Nonagricultural Occupations under the Fair Labor Standards Act WH – Revised March 2001, Code of Federal Regulations Title 29 (CFR 29) Parts 570.50 (c) (1) & 570.51-570.68, M.G.L. c. 74 Sections 1& 2A, M.G.L. c.149, Sections 1, 62 & 62A, M.G.L. c. 152, Vocational Technical Education Regulations 603 CMR 4.03(7) 4.10(3), (Chapter 385 of the Acts of 2002* | | | |
|  | **References:**  Massachusetts Perkins IV Manual at <http://www.doe.mass.edu/cte/perkins/>  Chapter 74 Selected Sections & 603 CMR 4.00 Vocational Technical Education Regulations and Guidelines at <http://www.doe.mass.edu/cte/laws.html>  Chapter 74 Manual for Vocational Technical Cooperative Education at  <http://www.doe.mass.edu/cte/programs/>  Massachusetts General Law Chapter 149 at  at <http://www.state.ma.us/legis/laws/mgl/gl-149-toc.htm>  Code of Federal Regulations Title 29 (CFR 29) at  <http://www.dol.gov/dol/allcfr/ESA/Title_29/Part_570/29CFR570.50.htm>  MA Worker*’*s Compensation Insurance per M.G.L. c. 152 at  <http://www.mass.gov/legis/laws/mgl/gl-152-toc.htm>  Advisory of CORI Law: Mandatory Criminal Record (CORI) Checks - Education Laws and Regulations at <http://www.doe.mass.edu/lawsregs/advisory/cori.html> | | | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *A review of documentation and interviews indicated that the cooperative education program is in place for all programs; however, not all requirements are met. Specifically, a pre-placement safety assessment of the workplace must be completed prior to any student beginning work. This safety assessment is not conducted for all workplaces prior to placement. A review of the cooperative education records indicated that the safety assessment is sometimes conducted during the supervisor visit to the work site after students have begun employment. In addition, review of student time reporting indicated that students sometimes work beyond the maximum hours per day allowed under the Massachusetts Child Labor Laws.* |

| **CRITERION NUMBER** |  | | | |
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|  | Legal Standard | | | |
| **CCTE 18** | Staff in career/vocational technical education programs are appropriately licensed or are working under a current Department-issued waiver. *Perkins Section 134, M.G.L. c. 74 Section 18, Vocational Technical Education Regulations 603 CMR 4.03 (5) 4.07 and M.G.L. c. 71 Section 38G, Regulations for Educator Licensure and Preparation Program Approval 603 CMR 7.00* | | | |
|  | **References:**  Massachusetts General Law Chapter 74, Section 18 at  <http://www.mass.gov/legis/laws/mgl/gl-74-toc.htm>  Massachusetts General Law Chapter 71, Section 38G at <http://www.mass.gov/legis/laws/mgl/gl-71-toc.htm>  Chapter 74 Selected Sections & 603 CMR 4.00 Vocational Technical Education Regulations and Guidelines at <http://www.doe.mass.edu/cte/laws.html>  Chapter 74 Manual for Vocational Technical Education Programs at <http://www.doe.mass.edu/cte/programs/manual.doc>  Chapter 74 Guide for Preliminary Vocational Technical Teacher Licensure at <http://www.doe.mass.edu/cte/licensure/prelimguide.doc>  Chapter 74 Guide for Professional Vocational Technical Teacher Licensure at <http://www.doe.mass.edu/cte/licensure/profguide.doc>  Chapter 74 Guide for Vocational Technical Administrator and Cooperative Education Coordinator Licensure at <http://www.doe.mass.edu/cte/licensure/admin_cecguide.doc>  Chapter 74 Guide for Vocational Technical Educator License Renewal at <http://www.doe.mass.edu/cte/licensure/renewalguide.doc>  Regulations for Educator Licensure and Preparation Program Approval 603 CMR 7.00 at  <http://www.doe.mass.edu/lawsregs/603cmr7.html> | | | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *A review of documentation indicated that, of the two teachers in the Information Services and Support Networking program, only one holds the appropriate licensure. The second teacher is licensed in a related area, but does not hold the required license for this program.*  *Review of documentation also indicated that, of the two teachers in the Engineering Technology program, only one holds the appropriate licensure. The second teacher is licensed in a related area, but does not hold the required license for this program. Furthermore, the Health Assisting program includes a clinical teacher who holds academic licenses but does not hold a vocational license.* |

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| **CRITERION NUMBER** |  | | | |
|  | **Legal Standard** | | | |
| **CCTE 20** | Career/vocational technical education instructional facilities meet current occupational standards. *Perkins Section 134; Vocational Technical Education Regulations 603 CMR 4.03 (3) (4) (7)(8).* Each vocational technical education program shall be conducted in facilities that meet current occupational standards. *603 CMR 4.03 (3)(a)* | | | |
|  | **References:**  Carl D. Perkins Career & Technical Education Improvement Act of 2006 at  <http://www.doe.mass.edu/cte/perkins/>  Chapter 74 Selected Sections & 603 CMR 4.00 Vocational Technical Education Regulations and Guidelines at <http://www.doe.mass.edu/cte/laws.html>  Career/Vocational Technical Education Safety Guide at  <http://www.doe.mass.edu/cte/safety/guide.doc>  NIOSH Safety Checklist Program for Schools at  <http://www.doe.mass.edu/cte/safety_health.html>  Chapter 74 Manual for Vocational Technical Cooperative Education at  <http://www.doe.mass.edu/cte/programs/> | | | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *A review of the instructional facilities conducted by the DESE CCTE safety specialist indicated that not all career/vocational technical education instructional facilities meet current occupational standards. The Safety Survey Report was sent to the superintendent under separate cover by the Office for College, Career and Technical Education.* |

| **CRITERION NUMBER** |  | | | |
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|  | Legal Standard | | | |
| **CCTE 21** | Career/vocational technical education instructional equipment meets current occupational standards. *Perkins Section 134; Vocational Technical Education Regulations 603 CMR 4.03 (3) (4) (7) (8)* | | | |
|  | **References:**  Carl D. Perkins Career & Technical Education Improvement Act of 2006 at <http://www.doe.mass.edu/cte/perkins/> Chapter 74 Selected Sections & 603 CMR 4.00 Vocational Technical Education Regulations and Guidelines at <http://www.doe.mass.edu/cte/laws.html>  Career/Vocational Technical Education Safety Guide at  <http://www.doe.mass.edu/cte/safety/guide.doc>  NIOSH Safety Checklist Program for Schools at  <http://www.doe.mass.edu/cte/safety_health.html>  Chapter 74 Manual for Vocational Technical Cooperative Education at  <http://www.doe.mass.edu/cte/programs/> | | | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *A review of the instructional facilities conducted by the DESE CCTE safety specialist indicated that not all career/vocational technical education instructional equipment meets current occupational standards. The Safety Survey Report was sent to the superintendent under separate cover by the Office for College, Career and Technical Education.* |

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| **CRITERION NUMBER** | **COLLEGE, CAREER AND TECHNICAL EDUCATION**  V. STUDENT SUPPORT SERVICES | | | |
|  | Legal Standard | | | |
| **CCTE 22** | The district uses thePerkins Act Core Indicator of Performance outcomes to improve programs and the outcomes for students. *Perkins Section 113, Perkins 134 (b) (5), (7), (8)* | | | |
|  | **References:**  Carl D. Perkins Career & Technical Education Improvement Act of 2006 at <http://www.doe.mass.edu/cte/perkins/> Chapter 74 Selected Sections & 603 CMR 4.00 Vocational Technical Education Regulations and Guidelines at <http://www.doe.mass.edu/cte/laws.html> Massachusetts Perkins Accountability Workbook – Secondary at <http://www.doe.mass.edu/cte/perkins/acctworkbook_sec.pdf> | | | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *A review of documentation and interviews indicated that the Perkins Core Indicator Data is reviewed by the leadership team; however, individual program teachers of the Chapter 74 programs do not review this data in order to improve programs and outcomes for students.* |

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| This Coordinated Program Review Final Report is also available at:  <http://www.doe.mass.edu/pqa/review/cpr/reports/>.  Profile information supplied by each charter school and school district, including information for individual schools within districts, is available at  <http://profiles.doe.mass.edu/>. |

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| WBMS Final Report 2018 | |
| File Name: | Upper Cape Cod Regional Technical School CPR Final Report 2018 |
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| Prepared by: | **DS/AG/SH/MJ** |

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